

05 HB 608/AP

House Bill 608 (AS PASSED HOUSE AND SENATE)

By: Representatives Reece of the 27th and Cooper of the 41st

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 43-34-27 of the Official Code of Georgia Annotated, relating to license requirements for persons engaged in the practice of medicine, so as to change certain provisions relating to licensure to practice medicine by a person who graduated from a medical or osteopathic college which is not approved by the Composite State Board of Medical Examiners; to amend Article 8 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to orthotics and prosthetics practice, as such article was enacted by an Act approved May 16, 2002 (Ga. L. 2002, p. 1273), which Act becomes effective July 1 of the fiscal year following the year in which a specific appropriation of funds is made for purposes of implementing such article, so as to change certain provisions relating to construction of the article; to change certain provisions relating to supervision of assistants and technicians; to provide for effective dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 43-34-27 of the Official Code of Georgia Annotated, relating to license requirements for persons engaged in the practice of medicine, is amended by striking paragraph (2) of subsection (a) and inserting in its place the following:

"(2) Graduates of board approved medical or osteopathic colleges and persons who are graduated on or before July 1, 1985, from medical or osteopathic colleges which are not approved by the board must complete one year of a board approved internship or residency training program to be eligible to stand any regular examination given by the board for a license to practice medicine in this state. Persons who are graduated after July 1, 1985, from medical or osteopathic colleges which are not approved by the board must complete three years of internship, residency, fellowship, or other postgraduate medical training that is approved by the Accreditation Council for Graduate Medical Education (ACGME), the American Osteopathic Association (AOA), or the board to be eligible a ~~board approved internship or residency training program to be eligible to stand any regular examination given by the board for a license to practice medicine in this state.~~ Current certification of any applicant by a member

board of the American Board of Medical Specialties may be considered by the board as evidence that such applicants postgraduate medical training has satisfied the requirements of this paragraph. However, before any such person shall be eligible to receive a license to practice medicine in this state, he or she shall furnish the board with satisfactory evidence of attainments and qualifications under this Code section and the rules and regulations of the board. Nothing contained in this Code section shall be construed so as to require a person who has previously passed an examination given by the board for a license to practice medicine in this state to stand another examination."

SECTION 2.

Article 8 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to orthotics and prosthetics practice, as such article was enacted by an Act approved May 16, 2002 (Ga. L. 2002, p. 1273), which Act becomes effective July 1 of the fiscal year following the year in which a specific appropriation of funds is made for purposes of implementing such article, is amended in Code Section 43-34-193, relating to construction of the article, by striking paragraphs (11) and (12) and inserting in their respective places the following:

"(11) The measuring, molding, or fitting of knee braces by any person; ~~or~~
(12) Employees or authorized representatives of an orthotic manufacturer from engaging in one or more of the following: evaluating, adjusting, measuring, designing, fabricating, assembling, fitting, servicing, training, repairing, replacing, or delivering an orthotic device under the order, direction, or prescription of a physician or health provider operating within his or her licensed scope of practice and meeting the criteria of the Part II Policy and Procedures for Orthotics and Prosthetics Services pursuant to Title XIX of the federal Social Security Act, as amended; or
(13) A board certified pedorthist from manufacturing, fabricating, dispensing, or any combination thereof custom foot orthotics or foot or ankle gauntlets."

SECTION 3.

Said article, as such article was enacted by an Act approved May 16, 2002 (Ga. L. 2002, p. 1273), which Act becomes effective July 1 of the fiscal year following the year in which a specific appropriation of funds is made for purposes of implementing such article, is further amended in Code Section 43-34-197, relating to supervision of assistants and technicians, by striking subsection (b) and inserting in its place the following:

"(b) No person shall work as a technician unless the work is performed under the ~~supervision~~ direction of a person licensed under this article, which shall not require direct supervision."

SECTION 4.

(a)(1) For purposes of promulgating rules and regulations, Sections 2 and 3 of this Act shall become effective on July 1 of the fiscal year in which this Act becomes effective as provided by paragraph (3) of this subsection.

(2) For all other purposes, Sections 2 and 3 of this Act shall become effective July 1 of the fiscal year following the year in which this Act becomes effective as provided by paragraph (3) of this subsection.

(3) Sections 2 and 3 of this Act shall become effective only upon the specific appropriation of funds for purposes of said sections of this Act, including without limitation those positions necessary for implementation, as expressed in an appropriations Act enacted by the General Assembly.

(b) All sections of this Act other than Sections 2 and 3 shall become effective July 1, 2005.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.